

## EXHIBIT A

### Chapter 10.04 – DEFINITIONS

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#### **10.04.170 – Electric motorcycle,**

*Electric motorcycle* means a motorcycle, as defined by RCW 46.04.330, which is powered ~~solely by electricity~~ by an electric motor and:

1. Is not equipped with fully operable pedals capable of propelling it. Foot pegs are not considered pedals; or
2. Has a motor with a power output that exceeds 750 watts; or ~~is capable of traveling over 28 mph with motor assistance;~~
3. Has a motor that continues to provide assistance when the vehicle reaches the speed of twenty-eight miles per hour.

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## EXHIBIT B

### Chapter 10.53 – ELECTRIC MOTORCYCLES

#### **10.53.010 Restrictions on the ~~Prohibited~~ operation of electric motorcycles. ~~within the City of Mercer Island.~~**

The following regulations apply to the operation of electric motorcycles on Mercer Island streets, right-of-way, easements, and publicly accessible parking lots.

- ~~1.—No person under the age of 16 may operate an electric motorcycle.~~
- ~~2.—No person may operate an electric motorcycle that is not registered with the Washington State Department of Licensing and does not have a valid license plate.~~
1. No person may operate an electric motorcycle that is not displaying a valid license plate issued by a state or comparable government agency.
2. No person without a valid driver's license with a motorcycle endorsement may operate an electric motorcycle.
3. To be operated on a public street or road, an electric motorcycle must meet the requirements of RCW 46.61.705.
4. No person may operate an electric motorcycle on any sidewalk, pedestrian path, park trail, or within City-owned or controlled parks (except areas open to vehicle traffic).
5. Any person operating or riding an electric motorcycle must wear a motorcycle helmet. The motorcycle helmet neck or chin strap must be fastened securely while the electric motorcycle is in motion. For purposes of this section, "motorcycle helmet" means a protective covering for the head consisting of a hard outer shell, padding adjacent to and inside the outer shell, and a neck or chin strap type retention system, with the manufacturer's certification applied in accordance with 49 C.F.R. Sec. 571.218 indicating that the motorcycle helmet meets standards established by the United States department of transportation.

#### **10.53.020 Impoundment and penalties for operation of an electric motorcycle.**

1. A law enforcement officer may impound, as defined in MICC 10.04.180, any electric motorcycle operated in violation of this chapter.
2. The impounded vehicle may be redeemed in accordance with MICC 10.22.060.
3. Violations of MICC 10.53.010 are deemed civil infractions and are subject to the following penalties:
  - a. First offense: \$250
  - b. Second offense: \$500

- c. Third and subsequent offenses: \$750 and possible referral for criminal citation under RCW 46.20.005.
- 4. In addition to the penalties set out in this section, violators must pay the costs of impound, storage, and court fees in accordance with MICC 10.22.070.

**10.53.030 Enforcement authority.**

The Mercer Island Police Department is authorized to enforce the provisions of this chapter and may issue civil infractions, impound vehicles, and take other lawful action necessary to protect public safety and ensure compliance.

## EXHIBIT C

### 9.30.150 - Vehicles.

It is unlawful to ride or drive any bicycle, motor vehicle, motorcycle, electric motorcycle as defined in MICC Ch. 10.04, or motor-driven cycle over or through any park except along and upon the public roads, streets or other designated areas therein or to operate any vehicle at a speed in excess of the posted speed limit. Both the operator or driver of such motor vehicle, motorcycle, electric motorcycle as defined in MICC Ch. 10.04, or motor-driven cycle and such vehicle shall be properly licensed if required by state law or City of Mercer Island ordinance.